



Australian Government

Australian Customs and  
Border Protection Service

## **AUSTRALIAN CUSTOMS DUMPING NOTICE NO.2009/38**

Certain Aluminium Extrusions

Exported from the People's Republic of China

Preliminary Affirmative Determination and Imposition of Securities

*CUSTOMS ACT 1901 – PART XVB*

On 24 June 2009 the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) initiated an investigation following an application lodged by Capral Limited on behalf of the Australian industry producing certain aluminium extrusions. The application requested the publication of a dumping duty notice and countervailing duty notice in respect of certain aluminium extrusions exported to Australia from the People's Republic of China (China).

The goods the subject of the application (the goods) are aluminium extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by The Aluminum Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being as extruded (mill), mechanical, anodized or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm., with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

In accordance with s.269TD(4)(a) of the *Customs Act 1901* (the Act), the CEO gives public notice that a preliminary affirmative determination has been made that there appears to be sufficient grounds for the publication of a dumping duty notice and countervailing duty notice in respect of the goods exported to Australia from China.

The CEO also gives public notice, in accordance with s.269TD(5) of the Act, that the officer of Customs taking securities is satisfied that it is necessary to require and take securities to prevent material injury to the Australian industry occurring while the investigation continues.

Customs and Border Protection will require and take securities under s.42 of the Act in respect of any interim dumping duty that may become payable in respect of the goods from China entered for home consumption on or after 6 November 2009.

Customs and Border Protection compared weighted average normal values to weighted average export prices for the four exporters selected for further verification and calculated a dumping margin of 18%. Customs and Border Protection then applied the lesser duty provision and calculated a China-wide provisional dumping duty rate of 16%.

In reaching this preliminary decision, Customs and Border Protection is satisfied that the dumped and subsidised goods appear to have caused material injury to the Australian industry producing like goods. A preliminary affirmative determination report was placed on the public record on 3 November 2009.

The preliminary affirmative determination report is available online at [customs.gov.au](http://customs.gov.au).

The CEO is due to report to the Minister for Home Affairs (the Minister) with recommendations on or before 15 April 2010. The Minister will then decide whether to publish a dumping duty

notice and, if relevant, the level of the measures to be imposed. Depending on the Minister's decision, any securities taken may be converted to interim dumping duty or acquitted.

Enquiries concerning this notice may be directed to the case manager on telephone number (02) 6275 5709, fax number (02) 6275 6990 or email [tmops3@customs.gov.au](mailto:tmops3@customs.gov.au).

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Trade Measures Branch  
CANBERRA ACT

3 November 2009